



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DAEWOO LOGISTICS CORP.,

Plaintiff,

- against -

QUALITEX TRADING CO. LTD.,

Defendant.  
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07 Civ. 2977 (GBD)

ECF CASE

**ORDER DIRECTING RELEASE OF ATTACHED FUNDS**

WHEREAS, on April 13, 2007 Plaintiff, DAEWOO LOGISTICS CORP., filed a Verified Complaint herein for damages amounting to \$222,743.18 inclusive of interest, costs and reasonable attorney's fee, and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

WHEREAS, on April 24, 2007, the Court issued an Ex Parte Order for Process of Maritime Attachment and Garnishment ("Order of Attachment"), ordering issuance of process of maritime attachment and garnishment ("PMAG") which directs that all tangible and intangible property of Defendant QUALITEX TRADING CO. LTD ("Qualitex") in the hands of any garnishees in an amount up to and including \$222,743.18 be attached or garnished pursuant to Rule B;

WHEREAS, on April 26, 2007, the PMAG was issued directing that all tangible and intangible property of Defendant Qualitex in the hands of any garnishees in an amount up to and including \$222,743.18 be attached or garnished pursuant to Rule B;

WHEREAS, garnishee Wachovia restrained a total amount of \$222,743.18 of Qualitex's property pursuant to the PMAG issued in this action; and

WHEREAS, the parties have come to an agreement in the underlying matter with respect to security;

WHEREAS, the parties have agreed that Qualitex's property should be released by directing garnishee Wachovia to release all funds in its possession in this action to the following bank account, which will serve as security pursuant to the terms to be agreed upon by the parties;

The Bank of Tokyo-Mitsubishi UFJ, Ltd.,

Kojimachi-Chuo Branch

Account Name: TSURUSAKI & KOBAYASHI

Account No.: 0102255 (Ordinary Deposit, US Dollar account

SWIFT Code of The Bank of Tokyo-Mitsubishi UFJ, Ltd's: BOTKJPJT

**IT IS HEREBY ORDERED** that all funds held by any garnishee in this action, including but not limited to Wachovia, be released to the following bank account, which will serve as security pursuant to the terms to be agreed upon by the parties:

The Bank of Tokyo-Mitsubishi UFJ, Ltd.,

Kojimachi-Chuo Branch

Account Name: TSURUSAKI & KOBAYASHI

Account No.: 0102255 (Ordinary Deposit, US Dollar account

SWIFT Code of The Bank of Tokyo-Mitsubishi UFJ, Ltd's: BOTKJPJT

**IF IS FURTHER ORDERED** that once the settlement funds have been received in into the above account, Daewoo's New York counsel, Lennon, Murphy & Lennon, LLC,

shall file a notice of dismissal, without prejudice, in the instant action.

Dated: October \_\_\_\_, 2007  
New York, NY

SO ORDERED: **OCT 11 2007**

  
U.S.D.

HON. GEORGE B. DANIELS